

## Message Text

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ACTION ARA-10

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SUBJ: ESTABLISHMENT OF LEGISLATIVE COMMITTEES UNDER JUNTA

1. SUMMARY: TOGETHER WITH OTHER YEAR-END MEASURES FURTHER INSTITUTIONALIZING REGIME, JUNTA ISSUED DECREE LAW SETTING UP ORGANIZATION AND PROCEDURES TO IMPROVE FUNCTIONING OF LEGISLATIVE PROCESS. NEW SYSTEM ALSO APPEARS PART OF TREND TO DISTINGUISH BETWEEN PRESIDENT OF REPUBLIC AND OTHER JUNTA MEMBERS, ALTHOUGH IT SEEMS TO ENTAIL NO FURTHER ACTUAL SEPARATION OF THEIR POWERS. ISSUANCE OF DECREE WAS POSTPONED MANY MONTHS, PERHAPS BECAUSE OF DIFFERENCES OF VIEW ON ITS SUITABILITY. END SUMMARY.

2. DECREE LAW 991 DATED APRIL 17, 1975, PUBLISHED AND PUT INTO EFFECT IN "DIARIO OFICIAL" JANUARY 3, 1976, ESTABLISHES SYSTEM OF TECHNICAL COMMITTEES UNDER JUNTA INTENDED TO IMPROVE PROCESSING OF LEGISLATION. THERE WILL BE THREE SPECIALIZED LEGISLATIVE COMMITTEES AND A "SPECIAL LEGISLATIVE COMMITTEE FOR NATIONAL DEFENSE," EACH UNDER A JUNTA MEMBER, PLUS A SECRETARIAT OF LEGISLATION UNDER JUNTA ITSELF WHICH WILL MOVE THE PAPER AND INSTRUCT THE COMMITTEES IN THEIR DRAFTING CHORES.

3. STAFF WILL BE DRAWN IN PART FROM OLD CONGRESSIONAL

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PERSONNEL, BUT ARMED FORCES WILL HAVE PRINCIPAL ROLE IN

DEFENSE COMMITTEE AND SECRETARIAT.

4. DECREE PROVIDES THAT ONLY PRESIDENT OF REPUBLIC "OR OTHER MEMBERS OF JUNTA" CAN INITIATE LEGISLATION. PROCESSING MUST INCLUDE CONSIDERATION OF EXPENSES AND SOURCE OF FUNDS ENTAILED IN NEW LEGISLATION, AND ANALYSIS OF JURIDICAL AND TECHNICAL ASPECTS OF DRAFTS, AS WELL AS EFFECT ON OTHER LEGISLATION AND CONSISTENCY WITH NATIONAL POLICY AND PRACTICE. COMMITTEES ARE ENCOURAGED TO CONSULT INTERESTED PUBLIC OR PRIVATE PERSONS AND ORGANIZATIONS. GOVERNMENT MINISTERS MAY ATTEND MEETINGS OR BE ASKED TO APPEAR. DRAFTS ARE CONSIDERED BY JUNTA AFTER PROCESSING AND ARE PROMULGATED BY PRESIDENT OF REPUBLIC AFTER JUNTA APPROVAL.

5. COMMENT: JUNTA AT TIME OF COUP TOOK OVER ALL EXECUTIVE, LEGISLATIVE AND CONSTITUENT POWERS. PURPOSE OF PRESENT DECREE LAW IS TO CREATE ORGANS AND PROCEDURES TO SERVE GOVERNMENT IN EXERCISING LATTER TWO POWERS. AS SUCH, PROMULGATION OF DECREE FURTHER SETS OFF PRESIDENT OF REPUBLIC AS THE EXECUTIVE, AND JUNTA (OF WHICH, HOWEVER, HE IS A MEMBER) AS LEGISLATURE. THE TEXT ALSO DISTINGUISHES BETWEEN PRESIDENT AND OTHER, BUT THERE APPEARS TO BE NO GREATER FORMAL SEPARATION OF THEIR POWERS.

6. NEW SYSTEM COULD RESULT IN SIGNIFICANT IMPROVEMENTS IN LEGISLATION. GOVERNMENT TOO OFTEN HAS ISSUED DECREES THAT SHOWED HASTY AND INEXPERT DRAFTING, AND AS SUCH PROVED EMBARRASSING AND HAD TO BE CHANGED.

7. AS INDICATED BY ITS APRIL 1975 DATE, DECREE WAS INTENDED TO BE ISSUED LONG AGO. ISSUANCE MAY HAVE BEEN POSTPONED BECAUSE DECREE HAD LOW PRECEDENCE, OR FOR OTHER REASON UNKNOWN TO EMBASSY, BUT THERE ALSO COULD HAVE BEEN CLEARANCE PROBLEMS, PERHAPS BASED ON DIFFERENCE OF VIEW AMONG JUNTA MEMBERS. IT PROBABLY WAS ISSUED NOW TO COINCIDE WITH OTHER YEAR-END MEASURES (ESTABLISHMENT OF COUNCIL OF STATE AND PUBLICATION OF STATEMENT OF NATIONAL OBJECTIVES) INTENDED TO INSTITUTIONALIZE THE REGIME.

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## Message Attributes

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